

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SUSANNA MIRKIN and BORIS MIRKIN,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

XOOM ENERGY, LLC and XOOM
ENERGY NEW YORK, LLC,

Defendants.

No. 18 Civ. 2949 (ARR) (JAM)

ORAL ARGUMENT REQUESTED

**NOTICE OF XOOM'S MOTION FOR RECONSIDERATION
OF CONTINUED CLASS TREATMENT**

PLEASE TAKE NOTICE that, upon Defendants' Memorandum of Law in Support of Motion For Reconsideration of Continued Class Treatment, Defendants XOOM Energy, LLC and XOOM Energy New York, LLC move the Court to reconsider its Order on Continued Class Treatment entered December 16, 2024, Doc. 276.

Dated: December 30, 2024

McDOWELL HETHERINGTON LLP

/s/ Michael D. Matthews, Jr.

Michael D. Matthews, Jr.

Diane S. Wizig (admitted *pro hac vice*)

David L. Villarreal (admitted *pro hac vice*)

Netra Sreeprakash

Justin R. Chapa (*pro hac* forthcoming)

McDOWELL HETHERINGTON LLP

1001 Fannin Street, Suite 2400

Houston, Texas 77002

Telephone: (713) 337-5580

Facsimile: (713) 337-8850

matt.matthews@mhllp.com

diane.wizig@mhllp.com

david.villarreal@mhllp.com

netra.sreeprakash@mhllp.com

justin.chapa@mhllp.com

*Attorneys for Defendants XOOM Energy, LLC and
XOOM Energy New York, LLC*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on the 30th day of December, 2024, via CM/ECF on all counsel of record.

/s/Michael D. Matthews, Jr.
Michael D. Matthews, Jr.